



**VILLAGE COUNCIL
MINUTES FOR WORK SESSION OF JANUARY 24, 2023
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:30 PM**

The Pinehurst Village Council held a Work Session Meeting at 5:14 p.m., Tuesday, January 24, 2023, in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina.

The following were in attendance in Assembly Hall:

Mr. John C. Strickland, Mayor
Mr. Patrick Pizzella, Mayor Pro Tem
Ms. Lydia Boesch, Councilmember
Mr. Jeff Morgan, Councilmember
Ms. Jane Hogeman, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Kelly Chance, Village Clerk

And approximately 15 attendees, including 7 staff and 1 press

1. Call to Order.

Mayor Strickland called the Village Council meeting to order.

2. Special Event Discussion

Parks and Recreation staff, Dave White and Megan McDonald, presented a proposal to change the Live After 5 from Tufts Memorial Park to the Village Arboretum. She reported this would still leave 65 events that would be taking place at Tufts Park. She noted this would result in fewer road closures. Ms. McDonald stated this would be safer for attendees, allow more sponsors and vendors to participate and better parking and shuttling options.

Council expressed some concern about the feelings of downtown merchants and business community if the events were moved but agreed to try the new venue for one year, reevaluating in 2024.

Also presented by Ms. McDonald was the changes to the Fourth of July activities. She reported the parade will now be a Pet Parade only in conjunction with the Sandhills Dog fair.

3. Report on Meeting with Pinehurst Business Partners Merchant Members regarding the Downtown Amenity Plan and Consider other Recommendations.

Assistant Village Manager, Jeff Batton, reported in December, Council requested a meeting with the leadership of Pinehurst Business Partners to review the amenity plan and to clarify some issues regarding Market Square. Councilmember Hogeman stated they met with Jim Nash and Katherine Franklin and spoke about parking in the Village. She noted they both favored timed parking in front of the businesses. She stated they also spoke about the Downtown Amenity Plan, particularly the impact on the Market Square area,

from Dugan's Pub down to Magnolia.

Councilmember Hogan reported other topics discussed where lighting needs, dressing up of alleys, traffic flow, and sidewalk improvement. She stated the group agreed to schedule quarterly meetings between members of the business community, council members, and staff moving forward.

Mr. Batton presented Council with a revised list of thirteen (13) items proposed in the Downtown Amenity Plan to pursue, as directed by prior Council recommendations. Items included:

1. Stormwater Project – Chinquapin to Market Square and down Magnolia Rd.
2. Evaluate Sidewalk expansion along west side of Chinquapin
3. Evaluate conversion of parallel spaces to cart parking
4. All-Way Stop at Magnolia/Chinquapin
5. Add Directional Parking Signs
6. Paint lampposts, and add night sky deflectors
7. Determine additional lighting phases and implement
8. Consider parking addition to west side of Theater Building
9. Road Resurfacing-Restriping
10. Repaint existing benches/Order new benches
11. Order new trash receptacles and Bike racks
12. Complete landscaping renovation plan and implement
13. >100 block Magnolia Rd. Streetscape

4. Village Place Form Based Code Draft

Darryn Burich, Planning and Inspections Director, presented a draft Form Based Code document developed in close collaboration with the Planning and Zoning Board. He reported the Form Based Code is meant to implement the recommendations and visions outlined in the Village Place Small Area Plan. He noted the Form Based Code document forms the basis for future Pinehurst Development Ordinance (PDO) amendments as well as will be able to be used as a guide for future conditional rezoning requests. He stated staff has already started drafting the PDO amendments to implement various Form Based Code provisions but before finalizing and scheduling Public Hearings, they will need consensus from Council to move forward in that regard. Planning staff will continue to bring updates to Council as they move forward and address recommendations of the Council and Planning Board.

5. PDO Amendments Related to Creating Planned Community Neighborhoods

Darryn Burich, Planning and Inspections Director, presented potential PDO amendments related to creating Planned Community Neighborhoods. He noted the document he supplied to Council is prepared and developed before Planning and Zoning Board work session on January 5th and January 19th and has not been updated yet to reflect those discussions or other input received.

Mr. Burich presented proposed definitions to be added to PDO Section 10.2 Definitions as follows:

- **Planned Community Neighborhood (PCN)** is a contiguous area containing at least twenty (20) acres or twenty (20) dwelling units as included within a platted subdivision or condominium development for which any person or corporation, by virtue of ownership of a lot or dwelling unit within the PCN, is by Declaration governed by a Master Association with powers to enforce and adopt and amend bylaws, rules, and regulations and which property owners within the PCN are obligated to pay real property taxes, insurance premiums, or other expenses to maintain, improve, or benefit other lots or common area or other real estate described in the Declaration.
- **Declaration** means any instruments, however denominated, that create a Planned Community Neighborhood.
- **Neighborhood Housing Accommodation (NHA):** is a whole house dwelling occupancy where a Dwelling Unit located within a Planned Community Neighborhood is managed through a Master Association and is leased, offered or made available by short term lease or other financial consideration for a time period or lease term of less than 30 consecutive days.
- **Executive Board** means the body, regardless of name, designated in the Declaration to act on behalf of a Master Association of a Planned Community Neighborhood.
- **Master Association** is a nonprofit organization established pursuant to NCGS 47F-3- 101 or 47C-3-10, by Declaration, or

its common law equivalent, with powers to enforce, adopt and amend bylaws, rules, and regulations pursuant to NCGS 47F-3-102 or 47C3-102, or by Declaration and is responsible to maintain or provide for maintenance of all common property and management of all Neighborhood Housing Accommodations within a Planned Community Neighborhood. Enforcement of such powers are for the benefit of lot or dwelling unit owners within the Planned Community Neighborhood.

- **Association:** means an association organized under NCGS 47F-3-101 or 47C-3- 101, or by Declaration

Mr. Burich presented proposed changes to 8.5.1a Table of Permitted and Special Uses and Special Requirements as they would pertain to Neighborhood Housing Accommodations. He noted in Section 8.6 Special Requirements to the Table of Permitted and Special Uses and Special Requirements, the following is being proposed as an addition:

SR-10 Neighborhood Housing Accommodation (NHA)

1) After the effective date of this Ordinance, all Neighborhood Housing Accommodations (NHA) shall be required to obtain a Development Permit from the Village. All NHA's, whether lawful nonconforming uses or newly established after the effective date of this Ordinance, shall comply with following standards:

- a. Compliance with SR9 Standards 1) a-k.
- b. Submission of documentation and contact information that the Neighborhood Housing Accommodation is located within a Planned Community Neighborhood as defined in Section 10.2 of this Ordinance.
- c. Submission of documentation of Master Association rules and regulations pertaining to operation of NHA's.
- d. Submission of documentation that the Neighborhood Housing Accommodation has been authorized by the Master Association.
- e. Installation of a Landscape Screen per Section 9.5.1.3 of the PDO along the property line adjacent to residential use not part of the Planned Community Neighborhood

Mr. Burich stated staff's plan is to development an actual ordinance that could go before the Planning and Zoning Board and then presented per public hearing requirements. He noted they will continue to work on the plan, taking all Council recommendations in consideration.

6. Traffic Circle Discussion

Village Manager, Jeff Sanborn reported he spoke with Patrick Norman and noted he is very interested in collaborating with Council on a way forward on discussions. He stated he would like to wait until after the NCDOT stated Board meeting to continue these discussions. He noted he supplied Mr. Norman with the compiled list of less-invasive options recommended by Council and compiled by Kelly Chance. Mr. Sanborn stated he wanted to note that his impression of Mr. Norman's willingness to collaborate on less-invasive options, was that he still felt this would not be the final solution unless one of the ideas turned out to work well. He further noted that the engineers do not have to answer to residents of Pinehurst, and it is their asset, and they will ultimately make their decision with or without our input.

7. Other Work Session Items.

No other Work Session Items were covered.

8. Potential Future Agenda Items.

Potential future agenda item suggested by Mayor Pro Tem Pizzella was to revisit the five-year long-term capital needs plan.

9. Motion to Recess the Work Session and Enter Closed Session

Upon a motion by Councilmember Hogeman, seconded by Mayor Pro Tem Pizzella, Council unanimously approved to recess the work session and enter a closed session pursuant to NCGS §143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease, by a vote of 5-0.

10. Closed Session

A closed session pursuant to NCGS §143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or

proposed contract for the acquisition of real property by purchase, option, exchange, or lease, was held and minutes recorded.

11. Motion to Adjourn the Closed Session and Re-Enter the Work Session

Upon a motion by Councilmember Morgan, seconded by Mayor Pro Tem Pizzella, Council unanimously approved to adjourn the Closed Session and re-enter the Work Session at 10:25 p.m., by a vote of 5-0.

12. Adjournment.

Upon a motion by Councilmember Boesch, seconded by Mayor Pro Tem Pizzella, Council unanimously approved to adjourn the work session at 10/26 p.m., by a vote of 5-0.

Respectfully Submitted,



Kelly Chance,
Village Clerk

A videotape of this meeting is located on the Village website: www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community, which reflects our rich history and traditions.

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.

Values: Service, Initiative, Teamwork, and Improvement